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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

SAMUEL MICHAEL KELLER, on behalf  
of himself and all others similarly situated,

Plaintiff,

v.

ELECTRONIC ARTS, INC., et al.,

Defendants.

Case No. CV 09 1967 (CW)

**AMENDED [PROPOSED] ORDER  
GRANTING PLAINTIFFS SAMUEL  
MICHAEL KELLER'S AND EDWARD C.  
O'BANNON, JR.'S JOINT MOTION FOR  
APPOINTMENT OF INTERIM CO-LEAD  
COUNSEL PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 23(g)(3)**

Date: December 17, 2009

Time: 2:00 p.m.

Judge: The Hon. Claudia Wilken

Courtroom: 2, 4th Floor

EDWARD C. O'BANNON, JR., on behalf  
of himself and all others similarly situated,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION (a/k/a the "NCAA"), et al.

Defendants.

Case No. C 09-03329 (CW)

BYRON BISHOP, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

ELECTRONIC ARTS, INC., et al.,

Defendants.

Case No. C 09-04128 (CW)

CRAIG NEWSOME, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION, et al.,

Defendants.

Case No. C 09-04882 (CW)

MICHAEL ANDERSON, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION (a/k/a the "NCAA"), et  
al.,

Defendants.

Case No. C 09-05100 (CW)

1 DANNY WIMPRINE, on behalf of himself  
and all others similarly situated,

2  
3 Plaintiff,

4 v.

5 NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION (a/k/a the "NCAA"), et  
al.,

6  
7 Defendants.  
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Case No. C 09-05134 (CW)

9 SAMUEL JACOBSON, on behalf of  
himself and all others similarly situated,

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11 Plaintiff,

12 v.

13 NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION (a/k/a the "NCAA"), et  
al.,

14  
15 Defendants.  
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Case No. C 09-05372 (CW)

17 DAMIEN RHODES, on behalf of himself  
and all others similarly situated,

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19 Plaintiff,

20 v.

21 NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION (a/k/a the "NCAA"), et  
al.,

22  
23 Defendants.  
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Case No. C 09-05378 (CW)

1 This matter comes before the Court on Plaintiffs Samuel Michael Keller's and Edward C.  
 2 O'Bannon, Jr.'s Joint Motion for Appointment of Interim Co-Lead Counsel Pursuant to Federal  
 3 Rule of Civil Procedure 23(g)(3).

4 Upon consideration of the foregoing motion, the papers submitted in support and  
 5 opposition thereto, the arguments of counsel at the hearing in this matter, and good cause  
 6 appearing, IT IS HEREBY ORDERED that Plaintiffs' motion is GRANTED as follows:

7 The Court appoints the law firms of Hagens Berman Sobol Shapiro LLP and Hausfeld  
 8 LLP as Interim Co-Lead Class Counsel for the consolidated actions, as well as for any additional  
 9 actions that are consolidated with these cases. Interim Co-Lead Class Counsel shall be  
 10 responsible for the overall conduct of the litigation on behalf of the class plaintiffs. Hagens  
 11 Berman Sobol Shapiro LLP shall have primary responsibility for claims related to the allegations  
 12 made in *Keller v. Electronic Arts, Inc., et al.* and Hausfeld LLP shall have primary responsibility  
 13 for claims related to the allegations made in *O'Bannon v. National Collegiate Athletic*  
 14 *Association (a/k/a "NCAA"), et al.*, but both firms shall remain responsible for the litigation of all  
 15 claims. Interim Co-Lead Class Counsel shall have the following specific responsibilities with  
 16 respect to this litigation on behalf of the class plaintiffs:

17 1. To coordinate and make work assignments among themselves and other plaintiffs'  
 18 counsel to promote efficient prosecution of this litigation and to avoid duplication of work;

19 2. To prepare and file a Consolidated Amended Complaint and all other necessary  
 20 pleadings and filings in this matter;

21 3. To initiate and conduct all discovery proceedings and communicate with Defendants'  
 22 counsel with respect to same on all issues related to the class plaintiffs;

23 4. To coordinate all motions, requests for discovery, expert work and other pretrial  
 24 proceedings regarding the position of all the class plaintiffs. No motion, request for discovery, or  
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1 other pretrial proceedings in this litigation shall be initiated or filed by any class member except  
2 through Interim Co-Lead Class Counsel;

3 5. To meet with defense counsel with respect to settlement and other matters on behalf of  
4 class plaintiffs;

5 6. To record and administer all time and expenses of counsel and staff in these and any  
6 other consolidated class action cases on a form set forth by Interim Co-Lead Class Counsel on a  
7 monthly basis or on such other schedule as may be established. Failure to maintain and timely  
8 submit such records will be considered in any fee allocation and may constitute grounds for  
9 denying court-awarded attorneys' fees;  
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11 7. To assess plaintiffs' law firms common litigation costs and to collect assessments on a  
12 regular basis; and  
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14 8. To allocate any award of attorneys' fees among plaintiffs' counsel.

15 IT IS SO ORDERED.

16 DATED: \_\_\_\_\_  
17

\_\_\_\_\_  
18 HONORABLE CLAUDIA WILKEN  
19 UNITED STATES DISTRICT COURT JUDGE  
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I, Jon T. King, am the ECF User whose ID and password are being used to file this  
**AMENDED [PROPOSED] ORDER GRANTING PLAINTIFFS SAMUEL MICHAEL  
 KELLER'S AND EDWARD C. O'BANNON, JR.'S JOINT MOTION FOR  
 APPOINTMENT OF INTERIM CO-LEAD COUNSEL PURSUANT TO FEDERAL RULE  
 OF CIVIL PROCEDURE 23(g)(3)**

In compliance with General Order 45, X.B., I hereby attest that Robert B. Carey has  
 concurred in this filing.

**CERTIFICATE OF SERVICE**

I, Jon T. King, declare that I am over the age of eighteen (18) and not a party to the  
 entitled action. I am a partner in the law firm of HAUSFELD LLP, and my office is located at 44  
 Montgomery Street, Suite 3400, San Francisco, California 94104.

On January 11, 2009, I filed the following:

**AMENDED [PROPOSED] ORDER GRANTING PLAINTIFFS SAMUEL MICHAEL  
 KELLER'S AND EDWARD C. O'BANNON, JR.'S JOINT MOTION FOR  
 APPOINTMENT OF INTERIM CO-LEAD COUNSEL PURSUANT TO FEDERAL RULE  
 OF CIVIL PROCEDURE 23(g)(3)**

with the Clerk of the Court using the Official Court Electronic Document Filing System which  
 served copies on all interested parties registered for electronic filing.

I also certify that I caused true and correct Chambers Copies of the foregoing document(s)  
 to be hand-delivered to the following Judge pursuant to Civil L.R. 3-12(b) by noon of the  
 following day:

The Hon. Claudia Wilken  
 U.S.D.C., Northern District of California  
 Oakland Division  
 1301 Clay Street, Suite 400 S  
 Oakland, CA 94612-5212

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jon T. King  
 JON T. KING